

**Private Admonition - Board Case No. 111, 1997.** **Date of Sanction: December 8, 1997.** A panel of the Preliminary Review Committee of the Board on Professional responsibility determined that a consensual private admonition should be imposed for a violation of Rule 1.8(c) of the Delaware Lawyers' Rules of Professional Conduct (the "Rules"). Rule 1.8(c) provides: "A lawyer shall not prepare an instrument giving the lawyer...any substantial gift from a client, including a testamentary gift...."

The lawyer prepared a will for a client naming the lawyer as contingent beneficiary of the client's estate. The lawyer had a long-standing relationship with the client and there was no evidence of undue influence. Upon the death of the client, the estate was distributed to the primary beneficiaries and the lawyer did not receive any proceeds from the estate.

The lawyer had no disciplinary record and cooperated fully with the Office of Disciplinary Counsel. The private admonition was conditioned on payment of the costs of the investigation.